



DANBURY FIRE PENSION BOARD
19 New Street
Danbury, Connecticut 06810
(203) 796-1550

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March 17 2021

Special Meeting Minutes

There was a special meeting of the Firemen's Pension Board on March 17th @ 3:03pm via Zoom Conference. In attendance Mayor Joe Cavo, David St. Hilaire, Warren Levy, Jeff Tomchik, Dave Kirkwood, Gabe Rivera and Johanna Zelman (Legal Council).

One the agenda

1. Review and act on pension request from Chief T.J. Wiedl.

Motion made by Jeff Tomchik and seconded by Warren Levy to go into executive session. Motion passed 5-0 @ 3:05pm.

Executive session ended at 3:20pm Johanna Zelman exited the meeting.

Motin made by Jeff Tomchik and seconded by Warren Levy to deny the request for a 14-33 (Retirement for disabilities not connected with duties) and retire Chief T.J. Wiedl on an 14-30 (Mandatory retirement for age).

Under discussion - Question was raised by Dave Kirkwood about the tax ramification for a service connected disability pension. Chairmen Rivera referenced the legal opinion and Section 14-30 where it states "When such regular member of said fire department has reached the age of sixty-five (65) years, he shall be retired on the day following attainment of said age" Jeff Tomchick referenced that the tax question should be taken up by a tax attorney. David St. Hilaire stated that our decision should not be based on the pensioner tax matter.



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Mayor Cavo and Jeff Tomchick echoed that this is the third meeting we have had on the pensioners behalf and we owe it to the person seeking the pension the ability to move on in the process. We have sought legal council on this and have reached out to the IME's for clarification and provided NFPA standards and Job description for them to reference when making their decisions. There is a process for the pensioner to appeal the decision of the pension board if they so choose. Warren Levy stated that his decision is based on the criteria of the process and what the IME's check on the evaluators form and that there is an appeal process if needed. Chairman Rivera stated that our job is to make sure that the process is followed and any person seeking a pension from a fire fighter to chief of the department is treated the same. We do not create the rules but we make sure we follow them. David St.Hilaire stated that we are not doctors but when doctors add additional notes on the form it raises questions as to the box that is checked by them. There is an appeal process if needed and encourages any applicant to do so but most of these decisions are clear cut but it is not clear cut for him.

Motion was called to a vote. Motion passed 4-2.

Chief T.J. Wiedl will be retired effective March 18th 2021 under the Post 1967 Firemen's Pension Fund under Section 14-30 (Mandatory retirement for age) Chief Wiedl has 40 completed years of service. Per section 14-30 the annual pension shall not be greater than sixty-eight (68) percent of pay. (Ord. No. 199, & 6, 4-2-74)

Adjournment came at 3:35pm

A handwritten signature in blue ink, appearing to read "Gabriel Rivera".

Gabriel Rivera

Chairman, Firemen's Pension Board